

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	4:05CR3039 and
)	4:05CR3091
Plaintiff,)	
)	
vs.)	
)	MEMORANDUM
THOMAS E. MILLER,)	AND ORDER
)	
Defendant.)	

Pursuant to the memorandum and order previously issued in this matter on March 23, 2009,

IT IS ORDERED that:

(1) The hearing will be held via telephone on Friday, May 8, 2009, at 1:00 p.m. Central time to determine (a) whether the defendant was competent when he entered his guilty plea; (b) whether, by the preponderance of evidence, the defendant is presently suffering from a mental disease or defect and should, in lieu of a sentence of imprisonment, be committed to a suitable facility for care and treatment; and (c) such other matters as counsel may call to my attention.

(2) The defendant shall be allowed to appear by telephone from the Bureau of Prisons, in Butner, North Carolina.

(3) The court requests that Dr. Stribling be available by telephone for the hearing also.

(4) My chambers and courtroom deputy shall arrange the telephone connections so that the lawyers, Mr. Miller and Dr. Stribling are connected to the

telephone in Courtroom No. 1, and the proceedings are recorded using the digital audio system in Courtroom No. 1.

(5) My chambers shall provide Dr. Stribling with a copy of this memorandum and order.

April 9, 2009.

BY THE COURT:

s/ Richard G. Kopf
United States District Judge